

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF PENNSYLVANIA
PHILADELPHIA DIVISION

IN RE:

CASE NO.: 20-13564-mdc
CHAPTER 13

Kristy L Rees,

Richard C Rees,

Debtors.

**OBJECTION TO CONFIRMATION OF DEBTORS'
AMENDED CHAPTER 13 PLAN**

Lakeview Loan Servicing, LLC ("Secured Creditor"), by and through its undersigned counsel, objects to confirmation of Debtor's Amended Chapter 13 Plan (DE #20), and states as follows:

1. Debtors, Kristy L Rees and Richard C Rees ("Debtors"), filed a voluntary petition pursuant to Chapter 13 of the Bankruptcy Code on September 2, 2020.
2. Secured Creditor holds a security interest in the Debtor's real property located at 437 Colonial Park Dr, Springfield, PA 19064, by virtue of a Mortgage recorded on December 19, 2017 instrument number 2017066988 Book 6104, at Page 1743 of the Public Records of Delaware County, PA. Said Mortgage secures a Note in the amount of \$304,385.00.
3. On November 11, 2020, Secured Creditor filed a Proof of Claim (No.: 12-1) which itemized a pre-petition arrearage of \$14,389.15.
4. The Debtors filed an Amended Chapter 13 Plan on December 8, 2020.
5. The Plan proposes to cure Secured Creditor's pre-petition arrearages via a loan modification. Thus far, a loan modification has not been offered or approved.
6. Debtor is obligated to fund a Plan which is feasible to cure the arrears due to the objecting creditor within a reasonable time pursuant to 11 U.S.C § 1322(b)(5). Therefore, in the event that any loss mitigation efforts are not successful, the plan fails to satisfy the confirmation requirements of 11 U.S.C § 1325(a)(1). Secured Creditor objects to any

Plan which proposes to pay anything less than \$14,389.15 to cure the pre-petition arrearages over the life of the plan.

WHEREFORE, Secured Creditor respectfully requests this Court sustain the objections stated herein and deny confirmation of Debtors' Plan, and for such other and further relief as the Court may deem just and proper.

RAS Citron, LLC
Attorney for Secured Creditor
130 Clinton Road, Suite 202
Fairfield, NJ 07004
Telephone: 470-321-7112
Facsimile: 973-404-8886

By: /s/Charles Wohlrab
Charles Wohlrab, Esquire
Pennsylvania Bar Number 314532
Email: CWohlrab@rascrane.com

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on December 29, 2020, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, and a true and correct copy has been served via CM/ECF or United States Mail to the following parties:

BRAD J. SADEK
Sadek and Cooper
1315 Walnut Street
Suite 502
Philadelphia, PA 19107

Kristy L Rees
437 Colonial Park Drive
Springfield, PA 19064

Richard C Rees
437 Colonial Park Drive
Springfield, PA 19064

WILLIAM C. MILLER, Esq.
Chapter 13 Trustee
P.O. Box 1229
Philadelphia, PA 19105

United States Trustee
Office of United States Trustee
200 Chestnut Street
Suite 502
Philadelphia, PA 19106

RAS Citron, LLC
Attorney for Secured Creditor
130 Clinton Road, Suite 202
Fairfield, NJ 07004
Telephone: 470-321-7112
Facsimile: 973-404-8886

By: /s/Charles Wohlrab
Charles Wohlrab, Esquire
Pennsylvania Bar Number 314532
Email: CWohlrab@rascrane.com